UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/017,329	02/02/1998	RYUICHI MATSUKURA	1083.1049/JD	8159

21171 7590 12/14/2005	EXAMINER
STAAS & HALSEY LLP	WINDER, PATRICE L
SUITE 700	

	ART UNIT	PAPER NUMBER
1201 NEW YORK AVENUE, N.W.	2145	
WASHINGTON, DC 20005		

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/017,329	MATSUKURA, RYUICHI
Office Action Summary	Examiner	Art Unit	
	Patrice Winder	2145	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
-. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 September 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 16-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 16-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6-1-05</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-11, 16-22 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   Claims 1-10, 16-17, 20-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1-10, 16, 17, 20 and 21 disclose " a position in the real world" for each hardware or software. The specification does not teach a position in the real world for each item. In response to the applicant's remarks on page 14 of the response filed on September 2, 2005, cited passages of applicant's disclosure refer to "rooms" not a "position in the real world".

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-2, 4-11, 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated

by Weiser et al., USPN 5,485,634 (hereafter referred to as Weiser) and Theimer et al.,

USPN 5,555,376 (hereafter referred as Theimer), which is incorporated by reference.

6.   Regarding claim 1, Weiser taught a computer network system in which plural

connecting means capable of connecting and disconnecting a computer is provided in a

network circuit to which a first computer has been connected, and a second computer is

connected to said connecting means (column 6, lines 12-28, 41-45), wherein

        said first computer comprises resource information managing means for

managing information relating to hardware or software, including a position in the real

world for each of the hardware or software, which are usable through the hardware

circuit (column 8, lines 6-16), and resource information processing means for taking out

the hardware or software information from said resource information managing means

in response to a request for information relating to usable hardware or software from

another computer, and transmitting to said network circuit (column 8, lines 40-56,

column 9, lines 3-13),

        said second computer comprises resource setting means for setting the

hardware or software according to the hardware or software information transmitted by

said resource information processing means of said first computer (column 11, lines 35-

46),

        when second computer is connected to said network circuit through any one of

said plural connecting means (column 7, lines 65-67, column 8, lines 1-4), said resource

setting means receives the hardware or software information transmitted by said

resource information processing means of said first computer and directly set the

hardware or software (column 11, lines 35-46).

7.   Regarding claim 2, Weiser taught a computer network system in which plural

connecting means capable of connecting and disconnecting a computer is provided in a

network circuit to which a first computer has been connected, and a second computer is

connected to said connecting means (column 6, lines 12-28, 41-45), wherein

said first computer comprises resource information managing means for

managing information relating to hardware or software, including a position in the real

world for each of the hardware or software, which are usable through the hardware

circuit (column 8, lines 6-16), and resource information processing means for taking out

the hardware or software information from said resource information managing means

in response to a request for information relating to usable hardware or software from

another computer, and transmitting to said network circuit (column 8, lines 40-56,

column 9, lines 3-13), and resource installation position managing means for managing

the position at which hardware or software managed by said resource information

managing means exist (column 8, lines 6-16),

said second computer comprises position noticing means for noticing the position

information indicating the position to said first computer when connected to one of said

connecting means (column 7, lines 25-72), resource selecting means for selecting an

arbitrary hardware or software out of a plurality of the hardware or software (column 10,

lines 46-53), and resource setting means for setting the hardware or software according

to the hardware or software information selected by said resource selecting means

(column 11, lines 35-46),

when second computer is connected to said network circuit through any one of

said plural connecting means (column 7, lines 65-67, column 8, lines 1-4),

said resource installation position managing means of said first computer reads

out the hardware or software information corresponding to the position information

noticed by said position noticing means from said resource information managing

means, and transmits to said second computer (column 10, lines 59-65),

said resource setting means of said second computer directly sets the hardware

or software selected by said resource selecting means in the hardware or software

information received from said first computer (column 11, lines 35-46).

8.   Regarding claim 3, claim 3 has similar limitations as claim 1 and additional

limitations of a resource information holding means for holding the resource information

relating to the resources that can be managed directly and comparing means for

comparing the content of the resource information holding means and the content of the

resource information managing means of the first computer, detecting a replaceable

resource. Therefore, the similar limitations are disclosed under Weiser-Theimer for

the same reasons set forth in the rejection of claim 1 (Supra 1). Also, Weiser-Theimer

taught resource information holding means for holding the resource information relating

to the resources that can be managed directly and comparing means for comparing the

content of the resource information holding means and the content of the resource

information managing means of the first computer, detecting a replaceable resource
(Theimer, column 8, lines 14-46).

9.   Regarding claim 4, Weiser taught a computer network system in which plural
connecting means capable of connecting and disconnecting a computer is provided in a
network circuit to which a computer is connected to said connecting means (column 6,
lines 12-28, 41-45), wherein

said computer comprises resource information managing means for managing
plural sets of information relating to hardware or software, including a position in the real
world for each of the hardware or software, which are usable through said network
circuit corresponding to said connecting means (Theimer, column 7, lines 28-32, column
8, lines 42-46),

position selecting means for selecting one of the information relating to plural
sets of hardware or software managed by said resource information managing means
(column 7, lines 25-42, column 8, lines 43-49), and

resource setting means for setting the hardware or software according to the
information relating to the hardware or software corresponding to the position selected
by said position selecting means (column 11, lines 35-46), and

when said computer is connected to said network through any one of said plural
connecting means, said resource setting means obtains the hardware or software
information corresponding to the position selected by said position selecting means
from said resource information managing means, and directly sets the hardware or
software (column 11, lines 35-46).

10.   Regarding claim 5, claim 3 has similar limitations as claim 1 and additional

limitations of a comparing means for comparing an updated time of the hardware or

software information of said resource managing means of the second computer and an

updated time of the hardware or software information of said resource managing means

of said first computer. Therefore, the similar limitations are disclosed under Weiser-

Theimer for the same reasons set forth in the rejection of claim 1 (Supra 1). Also,

Weiser-Theimer taught comparing means for comparing an updated time of the

hardware or software information of said resource managing means of the second

computer and an updated time of the hardware or software information of said resource

managing means of said first computer (Weiser, column 8, lines 43-58).

11.   Regarding claim 6, claim 6 has similar limitations as claim 1 and additional

limitations of a resource updating means for updating the content of the resource

information managing means when receiving an updated resource. Therefore, the

similar limitations are disclosed under Weiser-Theimer for the same reasons set forth in

the rejection of claim 1 (Supra 1). Also, Weiser-Theimer further taught a resource

updating means for updating the content of the resource information managing means

when receiving updated resource information (column 12, lines 26-34).

12.   Regarding claims 10-11, claims 10-11 has similar limitations as claim 1 and

additional limitations of a resource noticing means for noticing the content of the

resource information managing means and updating resource information registering

means by receiving the updated resource information from the computer. Therefore, the

similar limitations are disclosed under Weiser-Theimer for the same reasons set

forth in the rejection of claim 1 (Supra 1). Weiser-Theimer taught a resource noticing

means for noticing the content of the resource information managing means and

updating resource information registering means by receiving the updated resource

information from the computer (column 9, lines 3-13).

13.   Claims 7-9 and 16-22 have similar limitations as claims 1. Therefore, they are

rejected under Weiser-Theimer for the same reasons set forth in the rejection of claim 1

(Supra 1).

Response to Arguments

14.   Applicant's arguments with respect to claims 1-11, 16-22 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

15.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

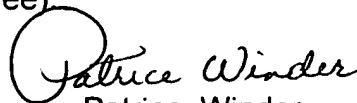§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrice Winder
Primary Examiner
Art Unit 2145

December 12, 2005